

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

This document relates to:

KATHLEEN ASHTON, et al,
Plaintiffs

v.

AL-QAEDA ISLAMIC ARMY, et al,
Defendants

02 CV 6977

PLEASE TAKE NOTICE, that pursuant to Fed.R.Civ.P. Rule 12(b)(2), 12(b)(1), 12(b)(6) and on the basis of the affidavit attached hereto, the undersigned will move the Court, before the Honorable Richard C. Casey, U.S.D.J., at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an order dismissing the First Amended Complaint against Omar Abdullah Kamel.

As detailed in the accompanying Memorandum of Law, the Complaint must be dismissed against Omar Abdullah Kamel because Plaintiffs have failed to plead and there is no evidence to prove that Omar Abdullah Kamel has the necessary minimum contacts with the United States, such that this Court may exercise personal jurisdiction over him. In addition, Plaintiffs have failed to state a claim upon which relief may be granted against Omar Abdullah Kamel and this Court lacks subject matter jurisdiction over Omar Abdullah Kamel.

WHEREFORE, Defendant, Omar Abdullah Kamel respectfully requests that the Court grant his motion to dismiss.

Respectfully submitted,

/s/

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Dated: December 10, 2004